

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: SCHERZ4

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| In re Application of: |) | Conf. No.: 8697 |
| Avigdor SCHERZ |) | |
| |) | Art Unit: |
| |) | |
| IA Filed: November 17, 2003 |) | Examiner: |
| |) | |
| Appln. No.: 10/534,692 |) | Washington, D.C. |
| |) | |
| |) | November 9, 2005 |
| For: WATER-SOLUBLE ANIONIC... |) | |

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop Amendment
401 Dulany Street
Alexandria, VA 22314

Sir:

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

[X] 1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed:

[] A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

[X] B. before the mailing date of a first office action on the merits or before the mailing of a first Office action after the filing of a Request for Continued Examination under 37 CFR §1.114.

[X] 2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., form BN/SB/08A/B) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. Other than U.S. patent(s) and/or published U.S. application(s), which 37 CFR §1.98(a)(2)(ii) does not require to be filed unless specifically required by the Office, a copy of each document listed is attached.

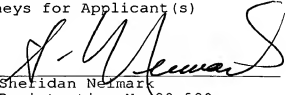
[X] 3. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

4. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in 37 CFR §1.56(b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

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Substitute for form 1449/APTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

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|------------------------|-------------------|
| Application Number | 10/534,692 |
| Filing Date | November 17, 2003 |
| First Named Inventor | Avigdor SCHERZ |
| Group Art Unit | |
| Examiner Name | |
| Attorney Docket Number | SCHERZ4 |

U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. | Document Number Number-Kind Code TM (known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|----------|--|--------------------------------|--|---|
| | AC | US-5,726,169 | 03-10-1998 | SCHERZ et al | |
| | AD | US-6,569,846 | 05-27-2003 | SCHERZ et al | |
| | US- | | | | |
| | US- | | | | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. | Foreign Patent Number Country Code* Number* Kind Code* (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁵ |
|--------------------|----------|---|--------------------------------|--|---|----------------|
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OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. | Include name of the author (in CAPITAL LETTERS), title of article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T ² |
|--------------------|----------|--|----------------|
| | AE | CHEN et al "Preclinical Studies in Normal Canine Prostate of a Novel Palladium-Bacteriopheophorbide (WST09) Photosensitizer for Photodynamic Therapy of Prostate Cancer" Photochem Photobiol. (2002), Vol. 76, No. 4, pp: 438-45 | |
| | AF | KOUDINOVA et al "Photodynamic Therapy with Pd-Bacteriopheophorbide (TookAD): Successful In Vivo Treatment of Human Prostatic Small Cell Carcinoma Xenografts" Int. J. Cancer (2003) Vol. 104, No. 6, pp: 782-789 | |
| | AG | ROSENBACH-BELKIN et al "Serine Conjugates of Chlorophyll and Bacteriochlorophyll: Photocytotoxicity In Vitro and Tissue Distribution in Mice Bearing Melanoma Tumors" Photochem. Photobiol (1996) Vol. 64, No. 1, pp: 174-181 | |
| | AH | SCHREIBER et al "Local Photodynamic Therapy (PDT) of Rat C6 Glioma Xenografts with Pd-Bacteriopheophorbide Leads to Decreased Metastases and Increase of Animal Cure Compared with Surgery" Int. J. Cancer (2002) Vol. 99, No. 2, pp: 279-285 | |
| | AI | ZILBERSTEIN et al "Antivascular Treatment of Solid Melanoma Tumors with Bacteriochlorophyll-serine-based Photodynamic Therapy" Photochem. Photobiol (2001) Vol. 73, No. 3, pp: 257-266 | |
| | AJ | ZILBERSTEIN et al "Light-dependent Oxygen Consumption in Bacteriochlorophyll-Serine-treated Melanoma Tumors: On-line Determination Using a Tissue-Inserted Oxygen Microsensor" Photochem. Photobiol (1997) Vol. 65, No. 6, pp: 1012-1019 | |
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Examiner Signature /Paul Ward/ (09/22/2009)

Date Considered

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /P.W./